

# House Study Bill 31 - Introduced

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON BALTIMORE)

## A BILL FOR

1 An Act requiring in-state construction contracts and disputes  
2 thereof to be governed by Iowa law.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION. 537A.6 In-state construction  
2 contracts — Iowa law to govern.

3     1. As used in this section, "*in-state construction*  
4 *contract*" means a public, private, foreign, or domestic  
5 agreement relating to construction, alteration, repair, or  
6 maintenance of any real property in this state and includes  
7 agreements for architectural services, demolition, design  
8 services, development, engineering services, excavation, or any  
9 other improvement to real property in this state, including  
10 buildings, shafts, wells, and structures, whether on, above, or  
11 under real property in this state.

12     2. A provision of an in-state construction contract is void  
13 and unenforceable as contrary to public policy if the provision  
14 does any of the following:

15     a. Makes the in-state construction contract subject to the  
16 laws of another state.

17     b. Requires any litigation arising from the in-state  
18 construction contract to be conducted in another state.

19     3. Any mediation, arbitration, or other dispute resolution  
20 proceeding arising from or relating to an in-state construction  
21 contract shall be conducted in this state.

22                                   EXPLANATION

23     This bill provides that a provision of an in-state  
24 construction contract is void and unenforceable as contrary to  
25 public policy if the provision makes the contract subject to  
26 the laws of another state or requires any litigation arising  
27 from the contract to be conducted in another state. The bill  
28 also requires any mediation, arbitration, or other dispute  
29 resolution proceeding arising from or relating to an in-state  
30 construction contract to be conducted in this state.

31     "In-state construction contract", as defined in the bill,  
32 means a public, private, foreign, or domestic agreement  
33 relating to construction, alteration, repair, or maintenance  
34 of any real property in this state and includes agreements  
35 for architectural services, demolition, design services,

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1 development, engineering services, excavation, or any  
2 other improvement to real property in this state, including  
3 buildings, shafts, wells, and structures, whether on, above, or  
4 under real property in this state.